

1 Michael C. Murphy, Esq. (S.B. No. 104872)
2 Michael@murphlaw.net
3 Michael C. Murphy, Jr. Esq. (S.B. No. 305896)
4 Michael.jr@murphlaw.net
5 LAW OFFICES OF MICHAEL C. MURPHY
6 2625 Townsgate Road, Suite 330
7 Westlake Village, CA 91361
8 Tel.: 818-558-3718
9 Fax: 805-367-4506

8 Attorneys for Defendant,
9 Patrick Byrne

10 **UNITED STATES DISTRICT COURT**
11
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 ROBERT HUNTER BIDEN, an
14 individual,

15 Plaintiff,

16 vs.

17 PATRICK M. BYRNE, an individual,

18 Defendant.

19 } Case No.: 2:23-cv-09430-SVW-PD
20 } Judge: Honorable Stephen V. Wilson
21 } Courtroom: "10A"

22 }
23 } **DEFENDANT PATRICK BYRNE'S**
24 } **RESPONSE TO PLAINTIFF**
25 } **ROBERT HUNTER BIDEN'S**
26 } **FINAL RULE 26 PRETRIAL**
27 } **DISCLOSURES**

28 }
29 } Date: July 28, 2025
30 } Time: 1:30 p.m.
31 } Courtroom: "10A"

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 Defendant Patrick Byrne (“Defendant”) hereby responds to Plaintiff Hunter
3 Biden’s (“Plaintiff”) Final Rule 26 Pretrial Disclosures pursuant to FRCP
4 26(a)(3)(B).

5 **I. WITNESSES**

6 Pursuant to Defendant’s Notice of Non-Appearance at Trial, Defendant will
7 not testify live, and thus counter designates portions of his testimony in response
8 to Plaintiff’s designation of Defendant’s testimony.

9 Defendant plans to cross-examine Plaintiff, and will reserve right to recall
10 him to the stand.

11 Defendant plans to call Mr. Moynihan to testify live.

12 Defendant has objected to the testimony of SA Smith, and the Court
13 sustained Defendant’s objection to Plaintiff’s Question Number 6.

14 **II. DEPOSITION DESIGNATIONS**

15 Defendant’s counter designations are below in the section title “Defendant
16 Patrick Byrne’s Counter Deposition Designations and Objections to Plaintiff’s
17 Deposition Designations.”

18 **III. DAMAGES**

19 Pursuant to the Court’s pretrial order, Plaintiff is limited to seeking only
20 nominal damages, and punitive damages if the jury finds Defendant liable for
21 defamation per se.

22

23

24

25

26

27

28

1 Dated: July 25, 2025

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
LAW OFFICES OF MICHAEL C. MURPHY
Michael C. Murphy, Esq.
Michael C. Murphy, Jr., Esq.
Attorneys for Defendant,
Patrick Byrne

LAW OFFICES OF MICHAEL C. MURPHY

By: /s/ Michael C. Murphy, Esq.

Michael C. Murphy, Esq.
Michael C. Murphy, Jr., Esq.
Attorneys for Defendant,
Patrick Byrne

1 **Defendant Patrick Byrne's Counter Deposition Designations and Objections**
2 **to Plaintiff's Deposition Designations**

3 Defendant Patrick Byrne hereby offers his counter deposition designations
4 and objections to Plaintiff's deposition designations. For brevity, the below list
5 will only include Plaintiff's deposition designations to which Defendant offers
6 counter designations and/or objections:

<u>Deposition Transcript</u>	<u>Plaintiff's Deposition Designations</u>	<u>Defendant's Counter Deposition Designations and/or Objections</u>
Patrick Byrne Trans. Vol. I	23:17-24	23-4-15
Patrick Byrne Trans. Vol. I	24:18-23	23:25-24:10
Patrick Byrne Trans. Vol. I	35:17-36:10	34:7-35:15; 36:11-19
Patrick Byrne Trans. Vol. I	37:2-25	38:1-39:8
Patrick Byrne Trans. Vol. I	69:8-70:1	69:5-7
Patrick Byrne Trans.	76:14-77:12	77:13-21

<u>Deposition Transcript</u>	<u>Plaintiff's Deposition Designations</u>	<u>Defendant's Counter Deposition Designations and/or Objections</u>
Vol. I		
Patrick Byrne Trans. Vol. I	84:14-17	Objection: Relevance
Patrick Byrne Trans. Vol. I	87:7-9	Objections: Relevance
Patrick Byrne Trans. Vol. I	93:12-94:16	94:17-23; 95:6-9
Patrick Byrne Trans. Vol. I	179:20-22	179:12-19
Patrick Byrne Trans. Vol. II	268:1-18	268:9-21
Patrick Byrne Trans. Vol. II	271:20-272:6	272:7-8
Patrick Byrne Trans. Vol. II	276:21-277:5	277:6-13
Patrick	313:23-314:5	314:6-9

<u>Deposition Transcript</u>	<u>Plaintiff's Deposition Designations</u>	<u>Defendant's Counter Deposition Designations and/or Objections</u>
Byrne Trans. Vol. II		
Patrick Byrne Trans. Vol. II	314:18-315:4	315:5-8
Patrick Byrne Trans. Vol. II	447:17-448:5	448:6-10
Patrick Byrne Trans. Vol. II	448:21-449:15	449:16
Patrick Byrne Trans. Vol. III	475:5-7	Objection: Relevance
Patrick Byrne Trans. Vol. III	488:12-489:16	489:17-21
Patrick Byrne Trans. Vol. III	492:4-13	492:14-25
Patrick Byrne Trans. Vol. III	493:1-9	493:10-15

<u>Deposition Transcript</u>	<u>Plaintiff's Deposition Designations</u>	<u>Defendant's Counter Deposition Designations and/or Objections</u>
Patrick Byrne Trans. Vol. III	512:17-19	5112:20-513:12
Patrick Byrne Trans. Vol. III	526:21-25	527:1-7
Patrick Byrne Trans. Vol. III	544:21-545:9	545:10-546:18
Patrick Byrne Trans. Vol. III	548:14-25	549:1-8
Patrick Byrne Trans. Vol. III	554:4-15	554:16-555:13
Special Agent David Smith Trans.	5:10-6:7	Objections sustained by Court Order: ECF 276, pg. 7-8.

1
2 Dated: July 25, 2025

LAW OFFICES OF MICHAEL C. MURPHY

3
4 By: /s/ Michael C. Murphy, Esq.

5
6 Michael C. Murphy, Esq.
7 Michael C. Murphy, Jr., Esq.
8 Attorneys for Defendant,
Patrick Byrne

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
LAW OFFICES OF MICHAEL C. MURPHY
2625 Townsgate Road, Suite 330
Westlake Village, CA 91361